

REMARKS/ARGUMENTS

Claims 1-51 were in the application. In the last office action, formal objections to claims 9, 29, 30, 36, 40 and 41 were raised, and claims 10 and 31 were rejected under 35 U.S.C. § 112 for failing to point out and distinctly claim the subject matter which applicant regards as the invention. The claims have been amended to overcome the second 112 rejections and to correct obvious informalities.

Claims 1-51 were rejected on art.

Claims 1, 3, 4, 6-9, and 12-36, and presumably 50, have been rejected under 35 U.S.C. § 103 as obvious over Nicholson in view of Hamlin. Claims 2 and 51 have been rejected under 35 U.S.C. § 103 as obvious over Nicholson and Hamlin in view of Yoshida. Claim 5 has been rejected under 35 U.S.C. § 103 as obvious over Nicholson and Hamlin in view of Macdonald. Claims 10 and 49 have been rejected under 35 U.S.C. § 103 as obvious over Nicholson and Hamlin in view of Dufresne. Claims 37-48 have been rejected under 35 U.S.C. § 103 as obvious over Nicholson and Hamlin in view of Saward and Diehl.

Reconsideration of the rejections on art is respectfully requested in view of the following.

According to Hamlin, all the "input media signals 22 of various types are received by a converter 34 wherein the media signals are converted into a converted frequency signal that is transmitted along a communication bus 36 through the house 12" (col. 3, l 4-8). Neither Hamlin nor Nicholson discloses the concept

of distributing analog signals together with digital signals all of which are demodulated and then remodulated, using a single type of modulation, on the same distribution network.

Hamlin and Nicholson manage all the information signals, both analog and digital, in the same way, thereby requiring more expensive and complex systems than the present invention which operates more efficiently.

None of the prior art documents discloses or even hints at the above described distribution of signals. Accordingly, it is respectfully submitted that the claims of the instant application are patentable over the cited art.

The Examiner has also provisionally rejected all of the claims for double patenting. The double patenting rejection is believed to be based on a comparison of the amended (international stage) claims of the present application with the published PCT claims of U.S. patent application serial no. 09/600,447. A comparison of the claims of the instant application and the cited application, as amended in the international stage, will demonstrate that the applications cover two different and distinct inventions.

Moreover, the double patenting rejection is believed to be moot for the following reason. Both applications are national stage applications (35 U.S.C. 371) having the same international filing date, i.e., January 18, 1999. The applications have been assigned to the same entity, Fracarro Radioindustrie S.p.A. The assignment of the instant application is recorded in the Patent and Trademark

Office at reel 011340, frame 0775. The assignment of U.S. Patent Application Serial No. 09/600,447 is recorded in the Patent and Trademark Office at, reel 011227, frame 0986.

Normally, a double patenting rejection could be overcome by filing a terminal disclaimer in the patent having the later expiration date. Since both patents would have the same expiration date, a terminal disclaimer would not be necessary. Hence, withdrawal of the double patenting rejections is believed to be appropriate.

In view of the foregoing, it is respectfully submitted that the application is now in condition for allowance. Early and favorable action is earnestly solicited.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Howard F. Mandelbaum', written over a horizontal line.

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HFM:cnt

Amendments to the Drawings:

The attached sheet of drawings includes a new Fig. 2 which has been labeled "Prior Art" as required by the Examiner. The replacement sheet is labeled "Replacement Sheet" in accordance with 37 C.F.R. 1.121(d). An annotated sheet marked-up to highlight the correction is also included and labeled "Annotated Marked-Up Drawings".

APPENDIX

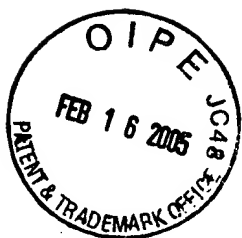


Fig. 2

PRIOR ART

